

Exhibit F

From: David Thomas <DThomas@tcspllc.com>
Sent: Thursday, August 31, 2017 7:57 AM
To: Edward Wallace; Timothy Jackson
Cc: Aaron Arthur; Robyn Davis; Christy D. Jones (Christy.Jones@butlersnow.com); David Thomas
Subject: RE: Guelcher

Ed—as you know, we tried to work this out in advance of the deposition. See emails below. I had to ask for the published supplemental data; I am sure that was just an oversight. However, I specifically asked in both the notice and by email in advance of the deposition that Dr. Guelcher bring the raw data to the deposition and that if it was not produced that we would take up at a later time. This is the later time.

The deposition testimony is clear; Guelcher reviewed the raw data as part of the study; he continues to have access to the data; he did not even try to get the data in advance of the deposition. And he was unable to answer some of the most basic questions about the raw data, including questions concerning incomplete and/or inaccurate representations of the data, deferring to his co-authors, who other than Iakovlev, are not testifying experts.

The response to the notice of deposition document rider only interposes general objections of overbreadth and beyond the scope of Rule 26, neither of which are sufficient. The response does not say that he does not have the documents.

Magistrate Eifert may say that Ethicon does not get the information; I don't think so. But Ethicon cannot let this pass without either the information and a further deposition of Dr. Guelcher as the testifying expert on this paper or an order denying the relief requested.

I am available all day to discuss.

David

From: Edward Wallace [mailto:EAW@wexlerwallace.com]
Sent: Wednesday, August 30, 2017 5:13 PM
To: David Thomas <DThomas@tcspllc.com>; Timothy Jackson <TEJ@wexlerwallace.com>
Cc: Aaron Arthur <AArthur@tcspllc.com>; Robyn Davis <RDavis@tcspllc.com>
Subject: RE: Guelcher

I don't believe you've satisfied it – why do you think the position is wrong? Do you have any authority for it? If so, I will deal with it – you know that.

From: David Thomas [mailto:DThomas@tcspllc.com]
Sent: Wednesday, August 30, 2017 4:04 PM
To: Timothy Jackson <TEJ@wexlerwallace.com>
Cc: Aaron Arthur <AArthur@tcspllc.com>; Robyn Davis <RDavis@tcspllc.com>; Edward Wallace <EAW@wexlerwallace.com>
Subject: Re: Guelcher

That was my meet and confer. Unless you agree to produce we will file the motion. I understand your position.

On Aug 30, 2017, at 5:01 PM, Timothy Jackson <TEJ@wexlerwallace.com> wrote:

David:

Dr. Guelcher clearly and repeatedly explained at his August 17, 2017 deposition that the data you are asking about is not in his possession or control and that he would defer to his co-authors for the details of the data you are asking about. Therefore, there is nothing to compel. Dr. Guelcher has also explained this to Mr. Hutchinson at a prior deposition regarding this testing. We can set up a meet and confer with you on this, if necessary.

Tim

Timothy E. Jackson

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From: David Thomas [<mailto:DThomas@tcspllc.com>]
Sent: Wednesday, August 30, 2017 10:23 AM
To: Timothy Jackson
Cc: Aaron Arthur; Robyn Davis; Edward Wallace; David Thomas
Subject: RE: Guelcher

Tim—as you know, notwithstanding the specific request in the Notice of Deposition and the email below in advance of the deposition for the data underlying the Talley paper, Dr. Guelcher did not even attempt to produce that information at the deposition. Ethicon will file a motion to compel production of the information unless you agree by close of business Thursday, August 31 to produce the requested information and make Dr. Guelcher available for further deposition on the requested information.

David

From: Timothy Jackson [<mailto:TEJ@wexlerwallace.com>]
Sent: Wednesday, August 16, 2017 2:32 PM
To: David Thomas <DThomas@tcspllc.com>
Cc: Aaron Arthur <AArthur@tcspllc.com>; Robyn Davis <RDavis@tcspllc.com>; Edward Wallace <EAW@wexlerwallace.com>
Subject: RE: Guelcher

David:

The supplemental data for the 2017 study is attached.

Tim

From: David Thomas [<mailto:DThomas@tcspllc.com>]
Sent: Wednesday, August 16, 2017 8:22 AM
To: Timothy Jackson
Cc: Aaron Arthur; Robyn Davis; Edward Wallace; David Thomas
Subject: RE: Guelcher

I am sure it was just oversight, but the supplemental data referenced in the study is not attached to the 2017 study. We also asked for all of the raw data (FTIR, XPS, etc.) underlying the 2017 study. If you are refusing to produce, we will deal with at a later time. But if you are willing to produce, please make sure that is included in the production. Thank you.

David

From: Timothy Jackson [<mailto:TEJ@wexlerwallace.com>]
Sent: Tuesday, August 15, 2017 6:31 PM
To: David Thomas <DThomas@tcspllc.com>
Cc: Aaron Arthur <AArthur@tcspllc.com>; Robyn Davis <RDavis@tcspllc.com>; Edward Wallace <EAW@wexlerwallace.com>
Subject: RE: Guelcher

David:

We sent you a final copy of Dr. Guelcher's 2017 article earlier today. Without waiving any of our objections, the other materials have already been produced at prior depositions. We will get you billing information.

Thanks,
Tim

From: Edward Wallace
Sent: Tuesday, August 15, 2017 4:00 PM
To: David Thomas
Cc: Aaron Arthur; Robyn Davis; Timothy Jackson
Subject: RE: Guelcher

Just so we don't run into issues – we are giving you docs tomorrow but some seem duplicative. Keep Tim on this chain and pls raise issues you have, if any, w production so we only do this once. I know you like that idea too – so thanks.

From: David Thomas [<mailto:DThomas@tcspllc.com>]
Sent: Sunday, August 13, 2017 8:50 PM
To: Edward Wallace <EAW@wexlerwallace.com>
Cc: Aaron Arthur <AArthur@tcspllc.com>; Robyn Davis <RDavis@tcspllc.com>
Subject: RE: Guelcher

I will make the 17th work provided you do not complain of inadequate time to produce the documents we request for the deposition. They should be readily accessible. We will schedule the deposition for 9 a.m. at Butler Snow in Nashville. Notice will be filed tomorrow. I have some medical tests tomorrow so will be hard to catch. Email best. Please confirm. David

From: David Thomas
Sent: Sunday, August 13, 2017 9:46 PM

To: Edward Wallace <EAW@wexlerwallace.com>
Cc: Aaron Arthur <AArthur@tcspllc.com>; Robyn Davis <RDavis@tcspllc.com>
Subject: RE: Guelcher

From: Edward Wallace [<mailto:EAW@wexlerwallace.com>]
Sent: Sunday, August 13, 2017 9:18 PM
To: David Thomas <DThomas@tcspllc.com>
Cc: Aaron Arthur <AArthur@tcspllc.com>
Subject: Re: Guelcher

The problem is that this ruling comes around his family vacation, commitments he cannot move and a work trip overseas. I have finally nailed down the morning of August 17, which is this Thursday. He says that is literally the only date that he can do given the time constraints and he is delaying a trip just to make himself available. I assume you don't have much at all in the way of questions and he needs to be done by noon that day. Otherwise, it looks like he would have to be deposed by video from overseas if that and would likely then be available in the US after Labor Day. Let me know tonight or first thing in the a.m. as possible.

On Aug 13, 2017, at 10:03 AM, David Thomas <DThomas@tcspllc.com> wrote:

I am available the entire week of August 21. Out this week in meetings and the week of Labor Day in depositions.

On Aug 13, 2017, at 10:52 AM, Edward Wallace <EAW@wexlerwallace.com> wrote:

David – will you be overseas at all? I believe Dr. Guelcher is headed that way shortly and work commitments before then are making this problematic. Can you give me a sense of your schedule so we can do what we can here?

From: David Thomas [<mailto:DThomas@tcspllc.com>]
Sent: Friday, August 11, 2017 2:46 PM
To: Edward Wallace <EAW@wexlerwallace.com>
Cc: Aaron Arthur <AArthur@tcspllc.com>
Subject: Guelcher

Ed—following up on dates. Thanks.

David

David B. Thomas

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